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Letter dated 25 March 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 22 July 2002 (S/2002/814).

The Counter-Terrorism Committee has received the attached supplementary report from the Democratic Republic of the Congo submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I would be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Letter dated 6 March 2003 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

[Original: French]

I have the honour to transmit to you herewith the supplementary report that my Government has prepared pursuant to paragraph 6 of Security Council resolution 1373 (2001) concerning counter-terrorism and in response to your letter of 24 April 2002 on the matter (see enclosures).

I should be grateful if you would arrange for the present letter and its enclosures to be circulated as a document of the Security Council.

(*Signed*) Atoki **Ileka**
Ambassador
Permanent Representative

Enclosure

Supplementary report submitted by the Democratic Republic of the Congo pursuant to paragraph 6 of Security Council resolution 1373 (2001) concerning country-terrorism

This report supplements the report submitted on 27 December 2001 to the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism by the Government of the Democratic Republic of the Congo and issued on 24 January 2002 as document S/2001/1331.*

It is submitted in response to the requests for clarification and supplemental information made by the Committee in its letter of 10 June 2002 addressed to the Government of the Democratic Republic of the Congo.

The questions raised by the Committee, to which the Government is responding in its supplementary report, relate to paragraphs 1, 2, 3 and 4 of resolution 1373 (2001) and other pertinent matters.

It should be explained that, because of initiatives still in progress, the report does not touch on all aspects of the questions raised by the Committee. Some matters remain to be addressed and will be covered in a further supplementary report to the Committee by the Government. Among them are the requests, with reference to paragraph 3, for a list of the countries with which the Democratic Republic of the Congo has concluded bilateral treaties on cooperation and exchange of information, as well as a list of the countries with which the Democratic Republic of the Congo has concluded bilateral extradition treaties in matters related to combating terrorism.

Paragraph 1

Please describe the legal and other measures available to comply with the requirements of paragraph 1 of resolution 1373 (2001). Please provide answers in respect of each subparagraph.

Subparagraph 1 (a)

What measures, if any, have been taken to prevent and suppress the financing of terrorist acts in addition to those listed in your responses to questions on subparagraphs 1 (b) to (d)?

Presidential Decree No. 070/2001 of 26 December 2001 constitutes the normative and organizational basis on which a strategy for instituting mechanisms to combat international terrorism in the Democratic Republic of the Congo will be formulated and planned.

By issuing the decree, the President sought to send a strong signal concerning the measures to be taken to strengthen coordination among the agencies with responsibility for counter-terrorism with a view to detecting, preventing and effectively combating terrorism.

* Enclosures are on file with the Secretariat and are available for consultation.

The signing of the International Convention for the Suppression of the Financing of Terrorism on 10 November 2001 and its ratification in the near future are among the preventive measures that will enable the country to adopt counter-terrorism legislation capable of meeting the challenge of combating this scourge.

Subparagraph 1 (b)

What are the offences and penalties in your country with respect to the activities listed in this subparagraph?

The Penal Code of the Democratic Republic of the Congo does not define terrorism as a separate offence. However, some of the offences defined in the Penal Code cover certain aspects of terrorist activities.

Those offences are:

1. Criminal conspiracy

Article 156, Book II, of the Penal Code provides that: "Any conspiracy formed with the aim of committing an offence against persons or property constitutes an offence consisting of the sole act of organizing the group".

With regard to the penalty applicable to the offence, article 157, Book II, of the Penal Code goes even further by providing that: "The instigators of such a conspiracy, the leaders of the group and those who have exercised command of any sort shall be punished by death".

Article 158, Book II, of the Penal Code reads as follows: "All other individuals participating in the conspiracy and those who have knowingly and voluntarily furnished the group with weapons, ammunition and instruments of crime shall also be punished by death".

In view of the seriousness of the offence, the jurisprudence of the Democratic Republic of the Congo holds that a criminal conspiracy exists if there is an agreement, even briefly, among the defendants to commit an offence against persons or property (see Supreme Court of Justice, 1 July 1980, Criminal Case No. 319). The courts and tribunals of the Democratic Republic of the Congo also hold that the mere existence of the group constitutes a criminal conspiracy regardless of whether the group thus formed has committed a particular offence or the members have agreed to commit a specific crime (see Supreme Court of Justice, 16 May 1991, Criminal Cases Nos. 29, 30 and 31).

Apart from the offence of criminal conspiracy, the country's legal arsenal contains many other penal provisions that cover various aspects of terrorist activities, including the following offences:

- Murder and assassination, Penal Code, Book II, article 45;
- Arson, Penal Code, Book II, articles 103 to 109;
- Wilful destruction, Penal Code, Book II, articles 110 to 113.

Criminal conspiracy, murder and assassination are punishable by death; the other offences carry various penalties.

The Code of Military Justice also contains some provisions that cover various aspects of terrorism, in particular:

- War crimes, Code of Military Justice, articles 523, 323 and 530;
- Breach of State security, Code of Military Justice, articles 193, 194, 202 and 205;
- Prohibition against private militias (Legislative Ordinance No. 11-130 of 25 March 1960 concerning private militias).

In view of their serious nature, these offences are punishable by death.

With regard to the issues of terrorist financing and money-laundering, the Central Bank of the Democratic Republic of the Congo is working on setting up a system to combat the financing of terrorist acts, primarily insofar as it involves financial transactions, including money-laundering.

The foreign exchange regulations of 22 February 2001 now in effect in the country stipulate, in article 41:

> "The entry of funds for direct, portfolio and other investment including the prefinancing of exports shall be authorized by filing a foreign exchange declaration.
>
> The funds must derive from transactions of legal economic origin."

Along those lines, article 75 of Act No. 003/2002 of 2 February 2002 concerning the operation and oversight of credit institutions provides the following:

> "Under the conditions set by the Central Bank, credit institutions shall be required to declare:
>
> (1) Sums of money entered on their books that appear to be derived from drug trafficking or other criminal activities;
>
> (2) Transactions that concern sums of money that appear to be derived from drug trafficking or other criminal activities."

In addition, imports and exports of certain goods, chiefly weapons, ammunition and explosives, are subject to prior approval of the competent government agencies. Transactions involving such goods are thus subject to restrictions.

Subparagraph 1 (c)

What legislation and procedures exist for freezing accounts and assets at banks and financial institutions? It would be helpful if States supplied examples of any relevant action taken.

There is no specific procedure, but the country's penal procedure and judicial practice allow for the possibility of freezing accounts and assets held at banks and financial institutions, when necessary. Public prosecutors, under the powers conferred by law, may legally proceed to freeze accounts, in particular to combat the financing of terrorism. However, there is inadequate expertise in that area among public prosecutors and investigative police officers because of a lack of established practice.

Subparagraph 1 (d)

What measures exist to prohibit the activities listed in this subparagraph?

With regard to money-laundering, the measures in place are those cited above in connection with the regulation of foreign exchange. A working group has been established at the Central Bank to consider the steps to be taken against money-laundering. The working group has recommended the following:

- Setting up, under the National Committee for Coordinating Efforts to Counter International Terrorism, a multidisciplinary unit (from the Ministry of Finance, the banking system, the security services, the customs service and the judiciary) entrusted with the task of considering what the legal framework should be for combating money-laundering, bearing in mind the legislation in force in the countries of the region;
- Setting up a system for monitoring, oversight and prevention in that area;
- Contacting the secretariat of the Financial Action Task Force on Money Laundering, which stands ready to offer assistance to any country requesting it on how to establish a legal and institutional framework.

Ultimately, it is the desire of the Democratic Republic of the Congo to establish a suitable legal system in this area, following the example of other countries in Europe, Asia, the Caribbean, the Americas and Africa.

Paragraph 2

Please describe the legal and other measures available to comply with the requirements of this paragraph.

Subparagraph 2 (a)

What legislation or other measures are in place to give effect to this subparagraph? In particular, what offences in your country prohibit (i) recruitment to terrorist groups and (ii) the supply of weapons to terrorists?

The Democratic Republic of the Congo has not yet taken any specific measures to implement this subparagraph. However, the Decree of 21 February 1950 regulating firearms and ammunition has a bearing on the matter, since it contains an important set of provisions designed to prevent any illegal supply of arms. The Decree has been incorporated in the supplementary penal provisions of the Penal Code, Title, II (Social defence and social legislation), section I (Firearms), in the following terms:

"Article 2

Importing, storing in public warehouses, State powder magazines and general warehouses, removing from such premises, transporting, trafficking in, possessing, lending or leasing, giving, abandoning or selling firearms or their parts and components or ammunition or its parts or components shall require the prior authorization of the President of the Republic or of an official to whom the power is delegated. The conditions under which authorization is granted shall be determined by the President of the Republic, subject to the provisions of this decree.

Article 3

No one not entrusted with military functions may be in possession of military-style weapons, including in particular revolvers, pistols, sub-machine guns, FAL light automatic rifles and any fully automatic weapons. However, the Ministry of the Interior may authorize personnel of the security service, the criminal investigation police, the public prosecutor's offices, courts, the territorial police and the prison guard services to carry one of the above-mentioned weapons.

...

Article 15

Anyone who imports, transports, possesses, lends or leases, sells, gives or abandons firearms or ammunition in violation of the provisions of this decree or the regulations or ordinances implementing it shall be punished by penal servitude of seven days to one year and a fine of 25 to 1,000 zaïres or one of those penalties only. In all cases where the convicted person has engaged in trading in firearms or ammunition in areas where military operations are in progress the sentence shall be penal servitude and may be raised to a maximum of 10 years. Anyone who is in possession of a military weapon without authorization demonstrated by a permit to carry a weapon issued by the Minister of the Interior shall be punished by penal servitude of 10 to 20 years."

In addition, Legislative Ordinance No. 85-035 of 3 September 1985, in articles 5, 6 and 8, clearly prohibits the acquisition, possession and transfer of arms and ammunition except in the cases expressly provided by law. Violations of articles 5 and 6 of the legislative ordinance shall be punishable by penal servitude of 5 to 10 years.

(i) Recruitment to terrorist groups

This is an aspect of the offence of criminal conspiracy, which applies to any conspiracy formed with the aim of committing an offence against persons or property and which is punishable by death.

Article 157, Book II, of the Penal Code, provides that: "The instigators of such a conspiracy, the leaders of the group and those who have exercised command of any sort shall be punished by death".

(ii) The supply of weapons to terrorists

Article 158, Book II, of the Penal Code, provides that: "All other individuals participating in the conspiracy and those who have knowingly and voluntarily furnished the group with weapons, ammunition and instruments of crime shall also be punished by death".

Subparagraph 2 (b)

What other steps are being taken to prevent the commission of terrorist acts, and, in particular, what early warning mechanisms exist to allow exchange of information with other States?

(a) The first response to the need for an early warning mechanism has been to place the Permanent Secretariat of the National Committee for Coordinating Efforts to Counter International Terrorism at the highest level of government (the Presidency of the Republic).

(b) The elite troops of the Rapid Response Police have been made available in case of an alert.

(c) A Counter-Terrorism Division has been established at the National Intelligence Agency.

Paragraph (c)

What legislation or procedures exist for denying safe haven to terrorists, such as laws for excluding or expelling the types of individuals referred to in this subparagraph? It would be helpful if States supplied examples of any relevant action taken.

Apart from the measures discussed in the initial report (S/2001/1331 dated 24 January 2002), there has been a progressive strengthening of immigration control mechanisms and methods, particularly at Ndjili International Airport and at Ngobila Beach, important entry and exit points to and from the Democratic Republic of the Congo.

However, it should be noted that the immigration services are severely handicapped by a lack of proper equipment (computers, telecommunications, detectors, surveillance cameras, and the like).

Subparagraph 2 (d)

What legislation or procedures exist to prevent terrorists acting from your territory against other States or citizens? It would be helpful if States supplied examples of any relevant action taken.

The following information can be given on action taken:

- Strengthened security measures at certain targeted embassies, in particular through the Rapid Response Police and counter-espionage agents; and
- Periodic meetings of intelligence experts to harmonize various anti-terrorism initiatives and methods.

Subparagraph 2 (f)

What procedures and mechanisms are in place to assist other States? Please provide any available details of how these have been used in practice.

The establishment of a national coordination mechanism under the Special Adviser to the Head of State on Security is a means of assisting other States despite the difficulties caused by the war in the Democratic Republic of the Congo. The country also provides assistance as a member of certain subregional organizations, including:

- The Southern African Development Community (SADC). The Democratic Republic of the Congo is on the SADC Subcommission on Security, which handles information on terrorism, organized crime, illicit drugs, money-

laundering, trafficking in arms and the unlawful transfer of nuclear, chemical or biological material;

- The Economic Community of Central African States (ECCAS); and
- The Permanent Consultative Committee of the United Nations on matters of security in Central Africa.

Subparagraph 2 (g)

How do border controls in your country prevent the movement of terrorists? How do your procedures for issuance of identity papers and travel documents support this? What measures exist to prevent their forgery, etc.?

Despite material and financial constraints, various immigration agents have been given clear and strict instructions to monitor the borders more carefully. The National Committee for Coordinating Efforts to Counter International Terrorism regularly monitors border crossing points.

These services are often ineffective for lack of adequate material resources, which does not make it easy to implement the instructions received.

The intelligence services are substantially involved in the current procedure for issuing identity cards and other identification documents. The Permanent Secretariat of the National Committee for Coordinating Efforts to Counter International Terrorism plans to set up a mechanism for cooperation and control among the services authorized to draw up and issue identity documents.

In order to prevent any forgery, Congolese legislation criminalizes and punishes forgery and the use of forgery. Severe penalties for these offences are set out in the penal law, particularly in articles 121, 122, 124 of the Penal Code, Book II.

Paragraph 3

The Counter-Terrorism Committee would welcome a report on the progress achieved by the Democratic Republic of the Congo with regard to becoming a party to and ratifying international conventions and protocols relating to terrorism and enacting legislation with a view to implementing these instruments. Please provide a list of countries with which the Democratic Republic of the Congo has concluded bilateral treaties on cooperation and on exchange of information.

Through its focal point, the First Counsellor and Legal Counsel at its Permanent Mission to the United Nations in New York, the Democratic Republic of the Congo took the opportunity, when participating in the sessions of the Ad Hoc Committee for the Negotiation of a Convention against Corruption, to discuss with experts from the United Nations Centre for International Crime Prevention of the United Nations Office on Drugs and Crime in Vienna aspects of harmonizing its national legislation with the provisions of existing international conventions relating to terrorism. The Centre for Crime Prevention of the United Nations Office on Drugs and Crime expressed its willingness to provide legislative assistance to the Democratic Republic of the Congo in accordance with the mandate given to it by the Security Council Counter-Terrorism Committee. The two parties agreed that the activities specified in the "Preliminary comment on legislative assistance to the Democratic Republic of the Congo", transmitted to the Centre for Crime Prevention

on 9 November 2002 by the Permanent Mission of the Democratic Republic of the Congo, would be organized soon in Kinshasa. In late March, the Congolese authorities will host experts from the Centre in order to plan the delivery of the promised assistance.

Paragraph 4

Has the Democratic Republic of the Congo addressed any of the concerns expressed in paragraph 4 of the resolution?

The following measures have been taken to strengthen the coordination of efforts in this regard:

At the national level

A National Committee for Coordinating Efforts to Counter International Terrorism has been established pursuant to the provisions of article 5 of Decree No. 070/2001 of 26 December 2001. This is the institutional framework for coordinating efforts to counter international terrorism. The Special Adviser to the Head of State on Security is its Permanent Secretary.

Within the Special Services Unit of the Congolese National Police, there is also a Department of General Intelligence which coordinates all counter-terrorism activities.

At the subregional and international level

The information contained in the first report submitted to the Committee by the Democratic Republic of the Congo is equally valid for this report. Additional information is contained in section B of the preliminary comment on legislative assistance sent by the Permanent Mission of the Democratic Republic of the Congo to the United Nations Office on Drugs and Crime in its letter of 10 December 2002.

Some references to the organizational framework of the administrative structure of certain institutions are in order. Details are contained in the enclosures to this report.

1. *Police*

Article 4 of Decree-Law No. 002/2002 of 26 January 2002 on the establishment, organization and functioning of the Congolese National Police provides for the establishment of specialized provincial inspection units and services, including the Criminal Police, which is responsible for, inter alia, suppressing gangs, fraud and drugs.

2. *Customs and Excise Office (OFIDA)*

The Customs Brigade was established and organized pursuant to Ordinance No. 79-114 of 15 May 1979 establishing OFIDA, under article 4 on OFIDA functions, including border surveillance, by Decision No. DG/CAB/99/001 of 12 January 1999. Its main functions are:

- Border surveillance;
- Prevention and inspection; and
- Administration and protection of the national heritage.

3. General Tax Directorate

Article 2 of Ordinance No. 89/101 of 12 May 1989 amending and supplementing Ordinance No. 88-039 of 10 March establishing the General Tax Directorate sets out the functions of the General Tax Directorate, as follows:

> "To carry out all assignments and exercise all prerogatives relating to fiscal matters, within the framework of existing laws and regulations, inter alia, those regarding the tax base, control, collection and disputes over direct and indirect taxes, royalties and tax charges."

In this connection, the General Tax Directorate is responsible for studying draft decisions, ordinances and laws on such matters and submitting them to the competent authorities. It should be consulted with regard to any change in legislation that will have an impact on tax liability or that will affect any provision of the Investment Code.

The General Tax Directorate exercises its powers over the entire national territory.

4. General Immigration Directorate

Ordinance No. 087-053 of 9 February 1997 amending Ordinance No. 87-003 of 7 January 1987 establishing a National Immigration Agency (ANI) and Ordinance No. 87-054 of 3 February 1987 on the organization and functioning of the National Immigration Agency constitute the legal basis for the General Immigration Directorate.

The General Immigration Directorate is a counter-intelligence service. In this capacity, it deals mainly with national border control and all intelligence relating to immigration and emigration.

Implementation of Security Council resolution 1373 (2001) on terrorism

Preliminary comment on legislative assistance to the Democratic Republic of the Congo

A. Context and basis

This comment is being submitted in response to the letter from the United Nations Office on Drugs and Crime of 29 November 2002 addressed to Mr. Mukongo Ngay, First Counsellor at the Permanent Mission of the Democratic Republic of the Congo to the United Nations and Government Focal Point with the United Nations on terrorism, in accordance with paragraph 6 of Security Council resolution 1373 (2001) of 28 September 2001 and section 1.4 of the note by the Chairman of the Committee of 26 October 2001 on guidance for the submission of reports pursuant to paragraph 6 of this resolution.

Under section 1.4 of the note on guidance, States may identify areas in which they require additional guidance or technical assistance on implementing resolution 1373 (2001).

This comment is based on the request for assistance formulated in general terms in the first report submitted to the Committee, issued on 24 January 2002 (S/2001/1331). For the rapid implementation of Decree No. 070/2001 of 26 December establishing a National Committee for Coordinating Efforts to Counter International Terrorism, the Democratic Republic of the Congo requires assistance in a number of areas covering technical, material and logistical, financial, regulatory and legislative aspects.

Pending the Government's submission of a detailed request on the various forms of assistance it requires, this comment will deal only with the aspect of legislative assistance.

In this connection, three points should be stressed, namely: status of the Democratic Republic of the Congo with regard to international and regional conventions on terrorism; opportunities for awareness-raising and dissemination campaigns and training courses on anti-terrorism, through seminars, symposiums and workshops; and the elaboration of a national law on the prevention and suppression of terrorism.

B. Status with regard to international conventions on terrorism

The Democratic Republic of the Congo has already ratified 4 of the 12 United Nations conventions and protocols on international counter-terrorism and signed three others in addition to the Organization of African Unity (OAU) Convention on the Prevention and Combating of Terrorism.

I. Conventions ratified

1. Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed in Tokyo on 14 September 1963;

2. Convention for the Suppression of Unlawful Seizure of Aircraft, signed in The Hague on 16 December 1970;

3. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed in Montreal on 23 September 1971;

4. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973.

II. Conventions signed and not yet ratified

1. International Convention against the Taking of Hostages, adopted by the General Assembly on 17 December 1979;

2. Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation;

3. International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999.

At the regional level, the Democratic Republic of the Congo has already signed the Organization of African Unity (OAU) Convention on the Prevention and Combating of Terrorism, adopted in Algiers on 14 July 1999.

III. Other conventions which the Democratic Republic of the Congo intends to sign and/or ratify

1. Convention on the Physical Protection of Nuclear Material, signed in Vienna on 3 March 1980;

2. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done in Rome on 10 March 1988;

3. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done in Rome on 10 March 1988;

4. Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed in Montreal on 1 March 1991;

5. International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997.

C. Measures to be taken

The Democratic Republic of the Congo intends to take urgent measures to facilitate the rapid implementation of Decree No. 070/2001 of 26 December establishing a National Committee for Coordinating Efforts to Counter International Terrorism. In the short term, it plans to sign and/or ratify those conventions on combating terrorism to which it is not a party, particularly the Convention for the Suppression of the Financing of Terrorism, in order to ensure that it has done everything possible to prevent and suppress terrorism. It also plans to incorporate the basic principles of resolution 1373 (2001) and other relevant Security Council

resolutions into its domestic legislation, and to begin implementing various international conventions on combating terrorism which it has already ratified.

It should be noted, however, that, like a number of other countries, the Democratic Republic of the Congo is in the process of changing its procedure for ratifying certain treaties with a view to significantly increasing the consultations in which members of the Government or civil society would participate. Another advantage of this process is that it will disseminate the legal instruments to which the Democratic Republic of the Congo has acceded to the population which they will affect.

It also enables Congolese judges deciding cases to familiarize themselves with the rules of international law, as their training is more specifically geared towards domestic law. The Democratic Republic of the Congo is also aware that international law genuinely permeates the daily lives of men and women the world over when it is taken into account by national judges.

In this same vein, the various actions to be undertaken will include:

1. Organizing campaigns to promote awareness and to disseminate international treaties on combating terrorism to the population;

2. Holding seminars of national experts on the harmonization of Congolese law with the principles of resolution 1373 (2001) and other relevant Security Council resolutions on the prevention and suppression of terrorism, with the cooperation of the National Committee for Coordinating Efforts to Counter International Terrorism; and

3. Organizing workshops and training courses on ways and means of combating terrorism.

In order to enhance awareness-raising activities and to encourage and facilitate the implementation of the basic principles of resolution 1373 (2001) and other relevant Security Council resolutions in the Democratic Republic of the Congo, the National Committee for Coordinating Efforts to Counter International Terrorism will have to conduct a series of seminars and workshops with the aim of:

(a) providing basic training in the principles of combating international terrorism;

(b) raising the awareness of actors at all levels of government structures with regard to national implementation;

(c) laying the necessary groundwork for cooperation with foreign authorities and international organizations to prevent and suppress terrorist acts;

(d) carrying out an analytical study of existing international instruments on international terrorism in order to help national experts identify incompatibilities; and

(e) analysing existing domestic measures with a view to incorporating the various international conventions on combating terrorism to which the country is already a party into our national legislation.

Comments and recommendations emanating from these seminars, workshops and various forums will help the Technical Secretariat of the National Committee for Coordinating Efforts to Counter International Terrorism, in cooperation with the

Commission to Reform Congolese Law, to prepare a draft law entitled "National Act on the Prevention and Suppression of International Terrorism".

The draft law should contain an important provision on prevention and protection which criminalizes, inter alia, the financing of terrorism, the establishment, organization and functioning of terrorist organizations and the perpetration of terrorist acts. The draft law should prescribe appropriate penalties for these offences commensurate with their seriousness.

D. Recommendations

Substantial financial and technical assistance will enable the National Committee for Coordinating Efforts to Counter International Terrorism to coordinate the work of awareness-raising and implementing international conventions on terrorism in cooperation with the Commission to Reform Congolese Law and the national services concerned.

The extent of this financial assistance and detailed plans for organizing the seminars will be transmitted in due course to the United Nations Office on Drugs and Crime in Vienna.

Done in New York on 9 December 2002

(*Signed*) Zénon **Mukongo Ngay**
First Counsellor
Legal Counsel